

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOBAR HOLDING CORPORATION, ROBERT BUCK,
Individually, and ROBERT BUCK, as Executor of the
Estate of JOAN BUCK, and ROBERT BUCK, individually
and ROBERT BUCK, As Executor of the Estate of JOAN
BUCK, derivatively as shareholders on behalf of JOBAR
HOLDING CORPORATION,

Case No.:
1:23-cv-11217 (JGLC) (GS)

NOTICE OF MOTION

Plaintiffs,

-against-

DAVID HALIO,

Defendant.
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PLEASE TAKE NOTICE, that upon the accompanying memorandum of law in support, and all the prior papers and proceedings herein, Defendant Dr. David Halio will move this Court, before the Hon. Jessica G. L. Clarke, U.S.D.J., at the United States District Court for the Southern District of New York, 500 Pearl Street, Courtroom 20C, New York, NY 10007-1312, for an Order: (i) dismissing the complaint for lack of subject matter jurisdiction and/or for failure to state a claim upon which relief can be granted pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure (hereinafter referred to as “Rules” or “Rule”); (ii) declining to exercise supplemental jurisdiction over any pendant state law claims pursuant to 28 U.S.C. § 1367; and (iii) for such other and further relief as this honorable Court deems just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE, that Pursuant to ¶ 4(a) of this Court’s Individual Rules and Practices in Civil Cases, this is motion may be made on notice without a pre-motion conference.

PLEASE TAKE FURTHER NOTICE, pursuant to Local Civil Rule 6.1(b), Plaintiffs' opposition papers are due on Thursday, March 14, 2024, and Defendant's reply papers in further support are due on Thursday, March 21, 2024.

Dated: Jamaica, New York
February 29, 2024

Respectfully submitted,

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.
Emanuel Kataev, Esq.
18211 Jamaica Avenue
Jamaica, NY 11423-2327
(718) 412-2421 (office)
(917) 807-7819 (cellular)
(718) 489-4155 (facsimile)
emanuel@sagelegal.nyc

VIA ECF
Scarinci & Hollenbeck, LLC
Attn: Dan Brecher, Esq.
589 Eighth Avenue, 16th Floor
New York, NY 10018-3005

Attorneys for Plaintiffs